

**California Marine Life Protection Act North Coast Project**  
**North Coast Special Closures Recommendation:**  
**Green and Flatiron Rocks Alternative**  
*October 26, 2010*

The Marine Life Protection Act (MLPA) North Coast Regional Stakeholder Group (NCRSG) submitted a special closures recommendation for Round 3 of the MLPA Initiative. The special closures recommendation was developed based on a recommendation from the NCRSG Special Closures Work Group; the work group was made up of NCRSG members and members of the public. Part of the recommendation the work group developed was an alternative to special closures at Green Rock and Flatiron Rock.

In Round 2 of the planning process, year-round, 300-foot special closures were proposed at Green and Flatiron rocks in an effort to protect important seabird breeding locations. During Round 2 outreach efforts a number of public comments were received that stressed the importance of leaving the area around these rocks open to boat traffic for safety reasons. In order to maintain access to address safety concerns and increase protection for breeding seabirds, the special closures work group developed an alternative plan to special closures in the text below; the NCRSG included this alternative as part of its Round 3 NCRSG Special Closures Recommendation. At its October 25-26, 2010 meeting, the MLPA Blue Ribbon Task Force adopted a motion to forward to the California Fish and Game Commission the Green and Flatiron Rocks Alternative as part of the North Coast Special Closures Recommendation.

**Green and Flatiron Rocks – Alternative to Special Closure**

**Proposed Alternative:** As an alternative to a 300' Special Closure around Green Rock and Flatiron Rock, the North Coast Special Closure Work Group is proposing a different model other than the Special Closure options. A three-pronged community/partnership based approach is proposed. The three components of this approach are outreach, monitoring, and enforcement. These three components are briefly explained as follows:

**Outreach:** This component involves both community and public outreach and education actions designed as a continual effort to increase public awareness of potential adverse impacts from human-wildlife interactions. This component will link to existing outreach initiatives in California. The goals of this outreach and education component are: (a) Increased awareness of the potential adverse effects to seabirds and pinnipeds (e.g., seals and sea lions) while offering safe methods for observing these species during recreational or commercial activities; (b) Information exchange at key events (e.g., annual Trinidad Fish Festival) and venues (e.g., Trinidad Pier); and (c) Heightened understanding of resource decision makers (e.g., city, tribal councils, and state and federal agencies) about the threats that human disturbances pose to breeding seabird colonies and pinniped haul-out areas and the best management methods to reduce and eliminate human disturbances.

**Monitoring:** Systematic monitoring of seabird and pinniped species is a critical component of this alternative. Our current understanding of the specific habits and habitat uses on Green Rock and Flatiron Rock is very limited. Monitoring will provide the specific information for effective and well-informed outreach and the first step to understand the significance and extent of the specific seabird colonies and pinniped haul-out areas that

will need to be protected and the timing of protections. It is also the one way to effectively document the extent to which human disturbance may be affecting these species, their colony sites, and specific haul-out areas. Monitoring information will help to focus law enforcement and surveillance. This component is, of course, linked to research and will require periodic reevaluation and statistical analysis of the monitoring data.

**Enforcement:** This component will encompass enforcement of existing federal, tribal, state, and local laws and regulations regarding resource protection; coordinated patrols and information sharing among the various agencies with enforcement authority; and administrative process to formally close Green Rock and Flatiron Rock to foot traffic or restrict access except for authorized use (e.g., research or traditional tribe activities).

**Rationale:** Trinidad has an active and involved community that has a strong affinity to its harbor area and coastal setting, including Green Rock and Flatiron Rock. Placing 300' closures around Green Rock and Flatiron Rock is viewed as an affront to the local community and an interference with traditional and customary uses on the water. The Cher-ae Heights Indian Community of the Trinidad Rancheria (Trinidad Rancheria) and the U.S. Department of the Interior's Bureau of Land Management (BLM) have offered to help develop and implement the proposed three-pronged community/partnership based approach.

The Trinidad Rancheria is initiating comprehensive planning to address the long-term management direction of the Trinidad Pier and the Trinidad Harbor area. A community participation process linked to the planning effort involves all stakeholders, including the BLM. Trinidad Rancheria will use their pier and harbor planning process as the vehicle for developing an on-going, long-term outreach, monitoring, and enforcement initiative designed to address all principal disturbances, such as commercial and recreational boating, kayaking, diving for abalone and sea urchins, aircraft, lights, and fireworks.

Green Rock and Flatiron Rock are part of the California Coastal National Monument (CCNM), under the management responsibility of the BLM. As part of the implementation of the CCNM Resource Management Plan from September 2005, the BLM organized the "CCNM Trinidad Gateway" initiative, which included the formation of an active stewardship committee consisting of the three CCNM "core-managing partners" - BLM, California Department of Fish and Game, and California State Parks; two CCNM "Stewards" - Trinidad Rancheria and the Yurok Tribe; and a number of CCNM "collaborative partners" - the City of Trinidad, Trinidad Museum Society, Tsurai Ancestral Society, Humboldt State University Marine Laboratory, Coastwalk California, Redwood Region Audubon Society, and Humboldt North Coast Land Trust. All of the various CCNM partners have individual memoranda of understanding with BLM agreeing to work collectively. The CCNM Trinidad Gateway stewardship committee provides the vehicle to ensure the implementation of an on-going, long-term outreach, and education initiative.

Also, the BLM has the authority to restrict access on the rocks or, if warranted, to issue a formal closure order to protect "public lands and resources" (under 34 CFR 8364.1). This authority would apply to the portions of Green Rock and Flatiron Rock located above the mean high tide line and may identify "those persons who are exempt from the closure (e.g., individuals with valid scientific permits or tribal members involved in authorized traditional

uses). Any person failing to comply with a BLM closure may be subject to a fine not to exceed \$1,000 and/or imprisonment not to exceed 12 months (43 CFR 8360.07).

In addition, the BLM and Audubon California will pursue the extension of the developing Seabird Protection Network into the Trinidad area. The Seabird Protection Network (Network) is an initiative currently focused on addressing human disturbance to breeding seabird colonies along the central California coast. These efforts are accomplished through an organized outreach and education program combined with monitoring, law enforcement, and other seabird management actions. Monitoring California seabird breeding colonies helps guide outreach, education, and management efforts of the Network. The Gulf of the Farallones National Marine Sanctuary is currently managing the Network's Central Coast Chapter and is facilitating the program's expansion, incorporating additional Chapters throughout California as they develop. The BLM is managing the Network's South Central Coast Chapter.

The BLM and the Trinidad Rancheria, working with the Trinidad community and the existing partnerships, are in a position to ensure that this long-term alternative will be developed and implemented. This not a short-term fix, it is a long-term commitment.

**Statement of Significance:** Among the more than 20,000 rocks and small islands that make up the California Coastal National Monument, Green Rock and Flatiron Rock are two of the most important, especially for nesting seabirds. The two rocks contain the largest Common Murre colony on the entire Monument, and, with seven other recorded nesting seabird species on these unique islets, have the largest number of recorded nesting seabirds as well. Only about a nautical mile apart, these two islets together have more than 66,000 adult breeding seabirds nesting on them annually. In the 1970s, that number was estimated to have been as high as 80,000 nesting seabirds. Although Common Murres makes up about 98% of the nesting seabirds on the two islets, some of the other seven nesting seabird species (e.g., Cassin's Auklet and Tufted Puffin) are not nearly as common today. Their nesting occurrence is also very important. According to the North Coast MLPA Science Team, these two islets comprise at least 25% of the most important seabird colonies along the entire North Coast, making them bio-regionally significant. In addition, Flatiron Rock provides important haul-out areas for Pacific Harbor Seals and both species of sea lions (i.e., the California Sea Lion and the federally-listed Steller's Sea Lion).

**Initial Action Items:**

1. BLM and Trinidad Rancheria will have an initial meeting to discuss steps needed to begin implementation of the three-pronged community/partnership based approach outlined in the proposed alternative above.
2. Trinidad Rancheria will determine how best to integrate the proposed alternative into their current planning process to provide the long-term management direction for the Trinidad Pier and Trinidad Harbor area.
3. BLM and Trinidad Rancheria will present the proposal at the next CCNM Trinidad Gateway stewardship committee meeting to solicit the committee's support on working collaboratively on further defining the proposed initiative and using the gateway committee

to serve as the vehicle to ensuring the implementation of a local long-term outreach and education effort.

4. BLM and Audubon California will pursue the extension of the developing Seabird Protection Network into the Trinidad area and take the lead on initiating an on-going program, involving a number of agencies and/or organizations, for the systematic monitoring of seabird and pinniped species for the Trinidad area (including Green Rock and Flatiron Rock).
5. BLM will take the lead on coordinating the enforcement component of this initiative.